

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

ORDER

On June 19, 2007, the Court found Defendant incompetent to stand trial, and committed him to the custody of the Attorney General for hospitalization and treatment, pursuant to 18 U.S.C. § 4241(d), in a suitable facility for a reasonable time to determine whether there was a substantial probability that Defendant would attain the capacity to permit the trial to proceed.

The Court having received the psychological or psychiatric report of Dr. Lea Ann Preston, conducted a hearing on September 3, 2008, to determine the mental competency of the Defendant to stand trial.

On September 4, 2008, United States Magistrate Judge John T. Maughmer issued his Report and Recommendation.

Upon careful and independent review of the record, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge John T. Maughmer.

Accordingly, it is

ORDERED that Defendant is found to be competent to understand the nature and consequence of the proceedings against him and is able to assist properly in his defense.

s/ Gary A. Fenner

Gary A. Fenner, Judge
United States District Court

DATED: September 16, 2008